

## UNITED STATES DISTRICT COURT

for the

Western District of Texas

United States of America

v.

Jose Refugio Ibarra-Reyes aka: Refugio  
Ibarra-Reyes; Ricardo Moreno  
XXXX XXX 953

Case No. SA:24MJ00006

*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 28, 2023 in the county of Bexar in the  
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*

8 U.S.C. § 1326(a)

Illegal Reentry

Penalties: Maximum Penalties: 2 years confinement, \$250,000 Fine or  
Both; 1 year supervised release, \$100 mandatory special assessment.

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.

RUBEN J RIOS

Digitally signed by RUBEN J RIOS  
Date: 2024.01.04 09:18:19 -06'00'*Complainant's signature*Ruben J. Rios, Deportation Officer*Printed name and title*☐ Sworn to before me and signed in my presence.☒ Sworn to telephonically and signed electronically.Date: January 4, 2024City and state: San Antonio, Texas*Judge's signature*

Honorable Elizabeth S. Chestney, U.S. Magistrate Judge

*Printed name and title*

Being duly sworn, I declare that the following is true and correct to the best of my knowledge:

My name is Ruben J. Rios, and I am a Deportation Officer with Immigration and Customs Enforcement ("ICE")/Enforcement Removal Operations ("ERO"), with whom I have been employed since October 15, 2007. I am authorized by the United States Department of Homeland Security to enforce the Immigration Laws and Regulations of the United States, or any other Laws or Regulations designated by the Attorney General or his successor, the Secretary of the Department of Homeland Security.

On August 28, 2023, Jose Refugio IBARRA-Reyes aka: Refugio Ibarra-Reyes; Ricardo Moreno (hereafter "IBARRA"), was encountered at the Bexar County Adult Detention Center in San Antonio, Texas, which is located within the Western District of Texas, after his arrest for "Driving While Intoxicated". ICE/ERO officers conducted immigration history and criminal history inquiries and determined IBARRA to be an alien illegally present within the United States and who had been previously removed from the United States. An immigration detainer was lodged against IBARRA. On January 4, 2024, IBARRA was released from the Bexar County Adult Detention Center and turned over to the custody of ICE/ERO. IBARRA was subsequently transported to the ICE/ERO San Antonio office for processing.

At the ICE/ERO office, IBARRA's fingerprints were enrolled and submitted through immigration and FBI databases, which verified his identity. The databases revealed that IBARRA is a citizen or national of Mexico with assigned Alien Registration Number A-XXX-XXX-953. A review of A-XXX-XXX-953 in the Enforce Alien Removal Module ("EARM"), a Department of Homeland Security database, revealed that IBARRA is an alien who was previously removed from the United States to Mexico on or about October 14, 2016.

Immigration databases revealed that IBARRA has not been granted permission to reapply for admission from the Attorney General of the United States, or his successor, after his removal.

On January 4, 2024, the defendant was informed of his right to a consular notification and was provided an opportunity to call the Consulate General of Mexico upon his arrest. On January 4, 2024, the Consulate General of Mexico was notified of IBARRA's arrest. An immigration detainer will also be filed with the U.S. Marshals Service on January 4, 2024.

**RUBEN J  
RIOS**

Digitally signed by  
RUBEN J RIOS  
Date: 2024.01.04  
09:20:38 -06'00'

Ruben J. Rios  
Deportation Officer  
Immigration and Customs Enforcement

Subscribed and sworn before me the 4th day of January 2024.

  
HONORABLE ELIABETH S. CHESTNEY  
UNITED STATES MAGISTRATE JUDGE